

### REMARKS

Claims 1 and 2 are canceled without prejudice to their continued prosecution in a continuation and/or divisional application.

Claims 3 and 4 have been rewritten in independent form in accordance with the Examiner's suggestion.

New claim 5 is fully supported by original claims 2, 3, and 4.

No new matter has been added. Upon entry of this Response, claims 3-5 are present and active in the application.

In accordance with MPEP 714.13, Applicants respectfully submit that the present amendment is appropriate for entry under 37 CFR § 1.116 inasmuch as it merely cancels claims, adopts examiner suggestions, and places the claims in condition for allowance. Entry of the present amendment is, therefore, respectfully requested.

#### Claim Rejections – 35 U.S.C. § 103

The rejection of claims 1-2 under 35 U.S.C. § 103(a) as being unpatentable over *Horikawa et al.* (U.S. Patent No. 5,414,081) alone or, alternatively, over *Sakurai et al.* (*J. Org. Chem.*, 1996, 61, 7889-7894) or *Horikawa et al.* in view of *Sunagawa et al. I* (EP 0188816 A1) or *Sunagawa et al. II* (U.S. Patent No. 5,578,722) has been rendered moot by the cancellation without prejudice of these claims. Accordingly, withdrawal of this ground of rejection is respectfully requested.

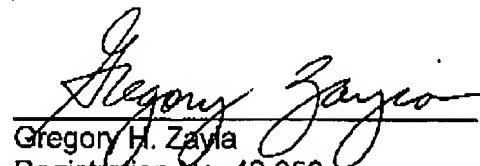
#### Claim Objections

The objection to claims 3 and 4 as being dependent upon a rejected base claim has been obviated by amendment. Claims 3 and 4 have been rewritten in independent form in accordance with the Examiner's suggestion and, therefore, are believed to be allowable. Claim 5 depends from newly independent claims 3 and 4 and is likewise believed to be allowable. Accordingly, withdrawal of all grounds of objection is respectfully requested.

**Conclusion**

If for any reason the Examiner feels that the above Amendment and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful to advance prosecution, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,

  
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